

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	No.: 16-cr-10305-NMG
)	
MARTIN GOTTESFELD)	

DEFENDANT’S MOTION *IN LIMINE*
TO EXCLUDE EVIDENCE OF PHYSICAL SURVEILLANCE

The defendant Martin Gottesfeld (“Mr. Gottesfeld”) moves this Honorable Court *in limine* to exclude evidence that government agents engaged in physical surveillance of Mr. Gottesfeld on numerous occasions in the months following the alleged offenses, including surveillance of his home, social encounters, driving habits, shopping routines, and other innocuous scenarios. As grounds:

1. The proffered evidence is irrelevant. FRE 401.
2. The probative value of the proffered evidence, if any, is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, and wasting time. FRE 403.
3. Exclusion is necessary to protect the defendant’s constitutional rights to due process of law and a fair trial under the Fifth Amendment to the United States Constitution.

Respectfully submitted,
MARTIN GOTTESFELD
By his attorney:

/s/ David J. Grimaldi

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DATE: June 29, 2018

CERTIFICATE OF SERVICE

I, David J. Grimaldi, hereby certify that true copies of this motion were served on all registered participants in this matter via ECF this 29th day of June 2018.

/s/ David J. Grimaldi

David J. Grimaldi